

AGENDA



Thursday, April 2, 2009

**Health and Human Services
RECOMMENDATION FOR COUNCIL ACTION****Item No. 7**

Subject: Authorize negotiation and execution of an Interlocal Agreement between the CITY and the CITY OF BEE CAVE for the inspection and permitting of food establishments and child care facilities for the period of April 1, 2009 through September 30, 2009 with a 12-month renewal option for up to four successive terms.

Amount and Source of Funding: Revenues from the City of Bee Cave to the General Fund will total \$7,750 for the initial 6-month term.

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

For More Information: Shannon Jones, Assistant Director, Public Health, 972-5410; David B. Lopez, Manager, HHSD Environmental and Consumer Health Unit, 972-5687; Linda Terry, Agenda Coordinator, 972-5023.

BACKGROUND

Since October 1, 2005, the City of Austin has entered into interlocal agreements with incorporated municipalities to provide public health services including food establishment permits and inspections, swimming pool permits and inspections, day care inspections, and general environmental complaint investigations. Business operators provide payment through fees for permits and services. The City of Bee Cave has requested an agreement with the City of Austin for the inspection and permitting of food establishments and child care facilities for annual licensing requirements.

The interlocal currently being negotiated will be implemented effective April 1, 2009 for the remainder of the 2009 fiscal year. The fee paid by City of Bee Cave for the 6-month term is for one routine inspection of current establishments. The contract will be reviewed annually for up to four years. Beginning with the fiscal year 2010 agreement, the City of Austin will conduct both permitting and inspections and the revenues will increase over the previous year.

UNDER THE AGREEMENT, THE CITY OF AUSTIN WILL

Administer and enforce ordinances regulating food establishments (including plan review, permit issuance, inspections, and complaint investigations).

Provide for the inspections of child care facilities.

Assist in the preparation of civil or criminal proceedings and make staff available for testimony in court proceedings in the event any suit is brought.

The City will have no responsibility to initiate or prosecute any civil or criminal suit on any complaint or case.

THE CITY OF BEE CAVE WILL HAVE THE FOLLOWING RESPONSIBILITIES

Authorize personnel of the City of Austin Health and Human Services Department to act as its health officials in investigating and enforcing its ordinances.

Adopt ordinances and provide Austin with certified copies to be used to enforce these agreements.

Be responsible for scheduling and conducting any hearings required by ordinances or by state law.

PERFORMANCE

HHSD Related Departmental Goal: Minimize the public's exposure to health and environmental hazards.

The proposed agreement will generate the following number of inspections monitored by department performance measures (1) Number of food establishment, mobile food vendor establishments – 70; (2) Number of temporary food establishment inspections – 2; (3) Number of child care facilities inspections for annual environmental requirements - 3